

United States Senate

WASHINGTON, DC 20510

February 8, 2011

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

0184

Dear Chairman Genachowski:

The E-Rate program at the Federal Communications Commission (FCC) is a critical part of making sure that children in rural and low-income communities across the country have fair access to the educational benefits that broadband can provide.

In Colorado, however, we fear that the opportunities this program offers for students of the East Central Board of Cooperative Educational Services (ECBOCES) schools may be in jeopardy. The ECBOCES serves roughly 9,400 students in 21 rural East Central Colorado school districts. Most of these schools are relatively isolated, small and located in farming and ranching communities. They also have a significant low-income student population. The E-Rate program has been a lifeline for these school districts, which spans over 15,000 square miles. The program provides support for telecommunications services and the world of educational opportunity that broadband internet access can offer. Among other things, the program supports an effort to connect 26 classrooms in 17 school districts, which helps leverage limited school district budgets and facilitate distance learning. For example, Morgan Community College allows nearly 1,300 high school students to take advantage of high school and college concurrent enrollment through a distance delivery system that relies on this E-Rate funding. It is often the case in these rural and agricultural areas that this type of distance learning provides the only means for students to take upper-level, required high-school courses that will prepare them to be college-ready upon graduation.

On December 1, 2010, the ECBOCES schools filed an appeal with the FCC, seeking to overturn a denial and rescission of E-Rate funds by the Universal Service Administrative Company (USAC). While we offer no opinion on the details of the USAC decision, we ask that the Commission's review recognize that an honest effort was made on the part of the ECBOCES schools to comply with both program rules and Colorado law. In addition, we ask that the review consider concerns identified by USAC in light of the harm that denial and rescission could impose on the ECBOCES students who rely on the E-Rate to access educational resources and develop skills for the digital age.

Thank you for your attention to this matter. Please feel free to contact Jack Waldorf in Senator Mark Udall's office at (202) 224-5941 or Sally Mayes in Senator Bennet's office at (202) 224-5852 should you have any questions regarding this issue.

Sincerely,



Senator Mark Udall



Senator Michael F. Bennet



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 29, 2011

The Honorable Michael Bennet
United States Senate
702 Hart Senate Office Building
Washington, DC 20510

Dear Senator Bennet:

Thank you for your letter regarding an appeal filed by the East Central Board of Cooperative Educational Services (ECBOCES) under the federal universal service schools and libraries support mechanism, commonly referred to as the E-rate program. ECBOCES seeks Commission review of a decision by the Universal Service Administrative Company that denied its E-rate applications.

I appreciate your bringing this matter to my attention. The Commission strives to balance the goal of providing the important benefits of the E-rate program to eligible schools and libraries with the need to protect the integrity of the program and investigate potential waste, fraud, and abuse. The Commission's Wireline Competition Bureau received ECBOCES's appeal on December 1, 2010, and is reviewing it. Although I am unable to comment on the merits of the petition while it is pending before the Commission, I can assure you that the Bureau is making every effort to conclude its review as quickly and equitably as possible.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

March 29, 2011

The Honorable Mark Udall
United States Senate
317 Hart Senate Office Building
Washington, D.C. 20510

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